

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BERNARD VICTOR MISZLER,	:	
Plaintiff	:	
	:	CIVIL ACTION
vs.	:	
	:	
WILLIAM BRENNAN,	:	JUDGE THOMAS I. VANASKIE
	:	NO. 3:CV-04-01756
Defendant	:	

**SUPPLEMENTAL POINTS FOR CHARGE OF DEFENDANT**

1. Warden Brennan may be held liable under § 1983 Plaintiff must establish that he participated in violating the Plaintiff's rights, directed others to violate them, or, as the person in charge, had knowledge of and acquiesced in his subordinates' violations. A.M. ex. rel. J.M.K. v. Luzerne County Juvenile Detention Center, 372 F.3d 572 (3d. Cir. 2004).

Respectfully submitted,

KREDER BROOKS HAILSTONE LLP

BY: /s/ A. James Hailstone

A. James Hailstone, Esquire

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**CERTIFICATE OF SERVICE**

**AND NOW**, this 12<sup>th</sup> day of November, 2007, A. James Hailstone, a member of the firm of Kreder Brooks Hailstone, LLP, attorneys for Defendants, hereby certify that I have this day served the within POINT FOR CHARGE by electronic filing to the party or attorney of record as follows:

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Attorney for Plaintiff

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/s/ A. James Hailstone  
A. James Hailstone